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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hideyoshi HORIMAI

Application No.: 09/646,228

Filed: September 14, 2000

For: THREE-DIMENSIONAL IMAGE DISPLAY

Group Art Unit: 2697

Examiner: M. Liu

Docket No.: 107318

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OCT 23 2003

Technology Center 2600

Sir:

In reply to the July 29, 2003 Election of Species Requirement, Applicant provisionally elects Species 7. The election is made with traverse. It is respectfully submitted that claims 1, 16, 26, 33, 34 and 44-50 read on the elected Species 7. Also, claim 1 is generic to all species.¹

It is also respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added).

¹ It is noted that the Office Action Summary (Form PTO-326) of the July 29 Restriction Requirement specifically set a shortened statutory period for reply of 3 months. Thus, no Extension of Time is needed.

It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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JAO:PDM/ccs

Date: October 22, 2003

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